

**MINUTES OF THE REGULAR MEETING OF THE  
BOARD OF PUBLIC WORKS AND SAFETY OF THE CITY OF JASPER  
OCTOBER 28, 2008**

The Board of Public Works and Safety of the City of Jasper, Indiana, met in regular session on Tuesday, October 28, 2008, in the Council Chambers of City Hall located at 610 Main Street.

**CALL TO ORDER**

Presiding Officer Mayor William J. Schmitt called the meeting to order at 8:00 a.m.

**ROLL CALL**

Mayor William J. Schmitt	Present
Board member Thomas R. Schmidt	Present
Board member Ambrose "Butch" Schitter	Present

Also present were Police Chief Douglas Tarvin, Street Commissioner Raymond Eckerle, City Engineer Chad Hurm, Building Commissioner David Seger, Fire Chief Kenneth Hochgesang, City Attorney Sandra Hemmerlein, and Clerk-Treasurer Juanita S. Boehm. Personnel/Safety Director Charles Schneider was absent.

Clerk-Treasurer Juanita Boehm announced that in order to have a quorum, a majority of the board members must be present. All three board members were present; therefore, there was a quorum for the meeting.

**PLEDGE OF ALLEGIANCE**

Mayor Schmitt invited all present to join him in reciting the Pledge of Allegiance

**APPROVAL OF THE MINUTES**

The board members examined the minutes of the regular meeting held on October 14, 2008. A **motion** was made by Ambrose 'Butch' Schitter and seconded by Thomas Schmidt to approve the minutes as published. Motion carried 3-0.

Schitter said that later in the meeting he wants to address some issues from the last meeting regarding the topic headed Sidewalk Replacement Program.

**STREET DEPARTMENT IRON WORKER QUOTES**

Before City Attorney Sandra Hemmerlein opened and publicly read the sealed quotes for a 50 ton iron worker, Mayor Schmitt asked Street Commissioner Raymond Eckerle to explain the functions of the machine. Eckerle explained this electric machine can punch, sheer, bend, notch, and cut metal pieces and would be an opportunity to help speed up the process for the three mechanics with their jobs. The quotes were as follows:

METALFFAB, Inc

\$11,912.00 + 500.00 freight = \$12,412.00

Doug's Standard

\$9,171.00 + 365.00 freight = \$9,536.00 or  
\$ 9,000.00 without tax

Baker Machinery

\$16,300.00 + 550.00 freight = \$16,850.00

A **motion** was made by Mayor Schmitt and seconded by Thomas Schmidt to take the quotes under advisement and have the Street Commissioner review and come back with a recommendation at the next meeting. Motion carried 3-0.

### **AUCTION ITEMS**

Mayor Schmitt reported a public auction was held on October 18, 2008, and two light poles that came with the 6<sup>th</sup> & Mill Street property the City acquired were placed in the auction. Schmitt said the poles need to be declared surplus.

A **motion** was made by Mayor Schmitt and seconded by Ambrose 'Butch' Schitter to declare two light poles surplus and approve for sale in the auction. Motion carried 3-0.

City Attorney Sandra Hemmerlein stated that at the last meeting City Engineer Chad Hurm got approval to place an old blue print machine into the auction, but it did not sell; therefore the Board needs to make a motion to junk the item.

A **motion** was made by Mayor Schmitt and seconded by Thomas Schmidt to allow the blue print machine that was declared surplus and did not sell at the auction to be scrapped out. Motion carried 3-0.

### **CHANGE ORDERS FOR ROJAC MILL PROJECT**

Mayor Schmitt presented three change orders for the ROJAC Mill project. Schmitt said the ROJAC building committee previously reviewed and approved the following change orders:

1. Change Order No. 0801. Clarification of the plans and specifications. Roof insulation shall be thick-spray-applied cellulose insulation in lieu of foamed-in-place plastic insulation. Wall insulation is called out to be cellulose type also. No contract price change.
2. Change Order No. 0802. Place #4 (1/2") rebar dowels (L-shape – 24" long each way) to tie the building floor to the building stem walls at 24" on center and around the entire perimeter. No contract price change.
3. Change Order No. 0803. In lieu of the 1"x 4" wood furring strips at the exterior wall assemblies between the diagonal wall sheathing/decking and the exterior studs, (see Notice of Revisions No. 5 to Contract No. R-28096-B), install 15 lb. felt paper on all exterior surfaces of the diagonal wood wall decking. The change order is an add of \$645.00.

A **motion** was made by Mayor Schmitt and seconded by Ambrose 'Butch'

Schitter to approve Change Order Nos. 0801, 0802, and 0803 for a total add of \$645.00. Motion carried 3-0.

### **REDUCE PUDE IN GREEN MEADOWS**

Phil Buehler, with Brosmer Land Surveying and representing Dr. Jim Eads, said Eads would like to reduce a public utility and drainage easement in Green Meadows near Brescher Drive and Evergreen Lane from 50 ft. to 30 ft. The water would be directed to a retention basin in another location. Buehler showed a map of the area and explained their plans.

City Attorney Sandra Hemmerlein said vacating part of an easement goes before the Council not this Board. Street Commissioner Raymond Eckerle said Buehler is just presenting the concept to this Board. Building Commissioner Dave Seger said the Storm Water Management Board reviewed the numbers for retainage but has not seen the final plans. Hemmerlein said Buehler needs to go to the Plan Commission next. Mayor Schmitt commended Buehler for not leaving the City out of their plans and for working with us before the pipe is installed. Schmitt also said the plan does not look too bad to this Board.

### **STREET DEPARTMENT REPORTS**

**Asphalt Prices.** Street Commissioner Raymond gave an update on the asphalt contract prices. He stated that J.H. Rudolph and Tri-County asphalt prices for October show a decrease in surface asphalt of approximately \$3.00 per ton.

**Leaf Pick-up.** Eckerle said the street department started the leaf pick up and sent one machine out yesterday. He stated they pick up loose leaves only and are to put the leaves in piles at curbside. Eckerle asked homeowners to keep the leaves free from limbs, rocks, and debris as it clogs the tubes up and they fall behind on their schedule. He also said he will mail this information to the media.

**Jasper Wood Products.** Eckerle reported that he emailed Sandra Hemmerlein, Douglas Tarvin, and Kenny Hochgesang about a call from a resident living north of the Wood Products building saying there is more activity going on around that vacant building. Eckerle said he noticed the air conditioner was destroyed. Mayor Schmitt said if the neighbors see such activity, they need to inform the police right away. He also asked the police chief to keep an eye on the area.

**Paving Projects.** Eckerle reported that paving is down to the last two paving projects for this year.

**5th Avenue Project.** Eckerle said the 5<sup>th</sup> Avenue project is completed and the area is seeded. There may be some settling if so, they will go back next year to touch up. It was a good project and the neighbors are happy.

**Snow Plow run.** Eckerle reported the department will make a snow plow dry run today to make sure the routes have not changed and things are ready when needed.

**Wind Storm Damage Clean up.** Eckerle reported that the cost to cleanup the recent wind storm damage amounted to \$89,858.16 for the street department.

Mary Miller from Emergency Management reported that through Homeland Security President Bush approved Dubois County for federal public assistance. The City turned in a total of approximately \$130,000.00 for several departments. FEMA will pay up to 75% of the costs if they are justified. Another meeting with Emergency management is scheduled.

### **JUNK COMPUTER**

Street Commissioner Raymond Eckerle said a computer locked up and is no longer usable. He asked permission to junk the computer, asset #100475.

A **motion** was made by Ambrose 'Butch' Schitter and seconded by Mayor Schmitt to junk asset #100475. Motion carried 3-0.

### **STREET CLOSINGS**

Street Commissioner Raymond Eckerle asked permission to close two streets as weather permits in order to do storm sewer replacement. He asked to close Brames Road at Schroeder Avenue and close Sunset Drive between Schuetter Road and Pleasant View.

A **motion** was made by Mayor Schmitt and seconded by Thomas Schmidt to grant the request of the Street Commissioner to close Brames Road at Schroeder Avenue and close Sunset Drive between Schuetter Road and Pleasant View as weather permits on condition the news media and emergency personnel are notified. Motion carried 3-0.

### **BADENDORF STORM SEWER REPLACEMENT PROJECT PHASE II**

City Engineer Chad Hurm reported the contractor has reached the halfway point on the Badendorf Storm Sewer Replacement project. Hurm said he will present a change order at a future meeting. Hurm explained the changes that are needed and that the estimated cost will be an add of \$1,066.00. Mayor Schmitt asked Hurm to bring in pictures of the work being performed on this project.

### **MULTI-USE WALKING PATH CHANGE ORDER**

City Engineer Chad Hurm gave an update on the Multi use walking path project and said the concrete ribbons and curbs are down and they will begin paving today. Hurm presented Change Order No. 1 for an add of fifty cents (\$.50) which was for a design change to the concrete ribbons and path widths.

A **motion** was made by Mayor Schmitt and seconded by Ambrose 'Butch' Schitter to approve Change Order No. 1 contract number R-29148 for an add of \$.50. Motion carried 3-0.

### **SIDEWALK REPLACEMENT PROGRAM**

Mayor Schmitt said at the last meeting specific sidewalk sections along Jackson Street between 13<sup>th</sup> and 14<sup>th</sup> Streets were placed on the sidewalk replacement program priority list. Schmitt suggested placing the remainder of the west side of Jackson between 13<sup>th</sup> and 14<sup>th</sup> on the priority list.

Schmitt also said not all of the sidewalk sections along the east side of Jackson Street between 12<sup>th</sup> and 13<sup>th</sup> Streets were approved for the priority list.

Schmitt said he thinks the City should go the full block on both sides. There was some discussion about the retaining walls along portions of Jackson Street.

Mayor Schmitt suggested Eckerle contact the contractor, Ralph Schroering, so he knows what work is lined up for him and discuss the retaining wall issue.

A **motion** was made by Mayor Schmitt and seconded by Ambrose ‘Butch’ Schitter to include on the sidewalk replacement priority list both sides of Jackson Street between 12<sup>th</sup> & 13<sup>th</sup> Street and all of the west side of Jackson Street between 13<sup>th</sup> & 14<sup>th</sup> Streets. Motion carried 3-0.

#### **REPLACE COMPUTER – ENGINEER DEPARTMENT**

City Engineer Chad Hurm asked permission to replace a computer in the engineer’s department that is five years old. Hurm said he would only replace the CPU unit.

A **motion** was made by Mayor Schmitt and seconded by Thomas Schmidt to approve the request to upgrade the computer in the engineer’s office and bring the quotes to the next meeting. Motion carried 3-0.

#### **HIGH WEED COMPLAINTS**

Fire Chief Kenneth Hochgesang reported to the board the names of property owners and locations that have been cited under 5.12.040, weed removal/notice. The names and locations are as follows:

<b>Owner</b>	<b>Location</b>
Westel Milwaukee Co, Inc.	Summit Heights, Lots 10, 13, 14
Lee Huebner	Jasper Original , Pt Lot 26, 3 <sup>rd</sup> & Newton
Jasper Wood Products	13 <sup>th</sup> & Vine, Maurice De St Palais

#### **FIRST RESPONDERS**

Fire Chief Hochgesang reported that the National EMS Commission wants to change the scope of practices for first responders and EMTs whereby they could not provide the services that they now provide. Hochgesang gave some examples of services and certain procedures they provide now that would be eliminated. He said basically we could only hold their hands and assure them help is on the way.

Hochgeang did say it is very important for Mayors, Council members and State Representatives to send letters to the Commission saying the services they provide are very important for the patient’s care. He further stated this may not happen in the next year but they might push it through.

Mayor Schmitt said each community is so different and in some rural communities this may be the only assistance a person may get.

### **QUOTES– POLICE CAR**

Police Chief Douglas Tarvin requested permission to seek quotes for another police car in 2008 with a trade-in of a 2000 Chev Impala that has approximately 105,000 miles.

A **motion** was made by Thomas Schmidt and seconded by Ambrose 'Butch' Schitter to allow the police chief to seek quotes for a vehicle for the police department. Motion carried 3-0.

### **TRICK OR TREAT HOURS**

Police Chief Douglas Tarvin reminded everyone that the Trick or Treat hours are set for Friday, October 31, 2008 from 6:00 p.m. to 8:00 p.m.

### **POLICE OFFICER SUSPENSION**

Mayor Schmitt reported that the Board of Public Works and Safety met in executive session at 7:30 a.m. this morning in order to discuss a personnel issue regarding Sgt. Jeff Carie who was arrested for OWI. The police chief brought disciplinary charges against the officer. Mayor Schmitt read the findings of fact and conclusions of law in the matter of the proposed disciplinary action of Sgt. Jeff R. Carie.

Thereafter, a **motion** was made by Mayor Schmitt and seconded by Ambrose 'Butch' Schitter to concur with the police chief's recommendation that Officer Jeff R. Carie be suspended from the police department for 30 days without pay to begin October 29, 2008 through November 27, 2008 and in so doing adopting this decision based upon the findings of fact and conclusions of law. Motion carried 3-0.

Mayor Schmitt stated Sgt Jeff Carie is a good police officer for the City and he made a mistake on his personal time and the action from that night resulted in the suspension. Sgt. Carie will continue to do a good job and will continue to serve the city well. This is unfortunate and in my opinion he did not need to be terminated

Thomas Schmidt also stated Carie is a good officer and he hated to see this happen and hated to sign the order today, but there did need to be disciplinary action.

Police Chief Douglas Tarvin said Carie is a good officer and an asset to the police department and for the citizens of the city. He realized he made a mistake and is going forward and will continue his endeavors as a Sergeant.

**Report.** Chief Tarvin reported that six or seven training sessions through the Southwest Training Council will be held in the Jasper area and at VUJC from November through April.

### **RESCHEDULE MEETING**

Mayor Schmitt said the next meeting falls on Veterans Day, November 11, 2008. Since the City observes that day as a holiday, the next meeting is scheduled for Wednesday, November 12, 2008.

**ADJOURNMENT.** There being no further business to come before the board, a motion was made by Thomas Schmidt and seconded by Ambrose 'Butch' Schitter to adjourn the meeting. The motion carried 3-0 and the meeting adjourned at 9:36 a.m.

The minutes were hereby approved \_\_\_\_\_ with   X   without corrections or clarification this 12<sup>th</sup> day of November, 2008.

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**Mayor William J. Schmitt**  
**Presiding Officer**

**Attest:**

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**Juanita S. Boehm, Clerk-Treasurer**

Margaret A. Kress, Recording Secretary